



## JUDICIAL INVESTIGATION COMMISSION

Building 1, Room E400  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0834

December 22, 1993

JIC Advisory Opinion 1993-23

Dear Judge :

Your recent letter to the Chairman of the Judicial Investigation Commission was reviewed by the Commission at its last meeting. In that letter you state that each year a local radio station plays holiday music without commercial interruption on Christmas Eve and Christmas Day. You indicate that various sponsors are permitted in lieu of commercials to buy air time to give Season's Greetings. This year you would like to buy air time to say something to the effect: "Merry Christmas and Best Wishes for a Prosperous New Year to all listeners from Circuit Judge , Judge's Secretary , Court Reporters and , and Bailiff Deputy Sheriff . Have a Happy and safe Holiday." You ask for an advisory opinion about whether this would be permitted under the Code of Judicial Conduct.

After reviewing your request the Commission determined that under Canon 2 of the Code of Judicial Conduct which requires a judge to avoid impropriety and the appearance of impropriety in all the judge's activities, the activity which you describe in your letter would not be appropriate.

It is hoped that this opinion addresses your inquiry fully. If you have any further question concerning this matter, do not hesitate to contact the Commission.

Very truly yours,

A handwritten signature in dark ink, which appears to read "Fred L. Fox, II", is written over the typed name.

Fred L. Fox, II, Chairman

FLF,II/bl